

**AMENDMENTS TO THE CLAIMS**

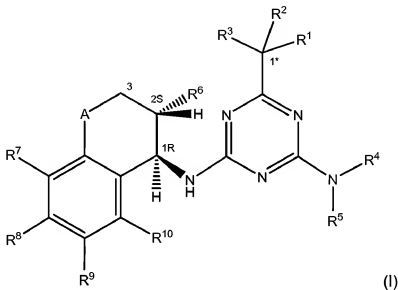
Please amend the claims without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows.

**In the Claims:**

**1. (Previously presented - Allowed)**

An optically active compound of formula

(I),



in which:

$R^1$  is H, halogen,  $(C_1-C_6)$ alkyl,  $(C_1-C_6)$ haloalkyl,  $[(C_1-C_4)alkoxy](C_1-C_6)alkyl$ ,  $(C_3-C_6)cycloalkyl$  which is unsubstituted or substituted by one or more radicals selected from the group consisting of halogen,  $(C_1-C_4)alkyl$  and  $(C_1-C_4)haloalkyl$ , or is  $(C_2-C_6)alkenyl$ ,  $(C_2-C_6)alkynyl$ ,  $(C_2-C_6)haloalkenyl$ ,  $(C_4-C_6)cycloalkenyl$ ,  $(C_4-C_6)halocycloalkenyl$ ,  $(C_1-C_6)alkoxy$  or  $(C_1-C_6)haloalkoxy$ ,

$R^2$  is H, halogen,  $(C_1-C_6)alkyl$  or  $(C_1-C_4)alkoxy$ , or

$R^1$  and  $R^2$  can together with the attached carbon atom form a  $(C_3-C_6)cycloalkyl$  or  $(C_4-C_6)cycloalkenyl$  ring,

$R^3$  is H,  $(C_1-C_6)alkyl$ ,  $(C_1-C_4)alkoxy$  or halogen;

R<sup>4</sup> and R<sup>5</sup> are each independently H, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)haloalkyl, (C<sub>3</sub>-C<sub>4</sub>)alkenyl, (C<sub>3</sub>-C<sub>4</sub>)haloalkenyl, (C<sub>3</sub>-C<sub>4</sub>)alkynyl, (C<sub>3</sub>-C<sub>4</sub>)haloalkynyl or an acyl radical;

R<sup>6</sup> is (C<sub>1</sub>-C<sub>6</sub>)alkyl;

R<sup>7</sup>, R<sup>8</sup>, R<sup>9</sup> and R<sup>10</sup> are each independently H, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>3</sub>)haloalkyl, halogen, (C<sub>1</sub>-C<sub>3</sub>)alkoxy, (C<sub>1</sub>-C<sub>3</sub>)haloalkoxy or CN;

A is CH<sub>2</sub>, O or a direct bond;

and the stereochemical configuration at the marked 1 position is (*R*) having a stereochemical purity of from 60 to 100 % (*R*),

and the stereochemical configuration at the marked 2 position is (*S*) having a stereochemical purity of from 60 to 100 % (*S*),

provided that R<sup>1</sup>, R<sup>2</sup> and R<sup>3</sup> are structurally different or provided that at least two of R<sup>1</sup>, R<sup>2</sup> and R<sup>3</sup> are structurally identical,

or an agriculturally acceptable salt thereof.

**2. (Previously presented - Allowed)** A compound or a salt thereof as claimed in claim 1, characterized in that

R<sup>1</sup> is H, halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)haloalkyl, [(C<sub>1</sub>-C<sub>4</sub>)alkoxy](C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>3</sub>-C<sub>6</sub>)cycloalkyl which is unsubstituted or substituted by one or two (C<sub>1</sub>-C<sub>4</sub>)alkyl groups, or is (C<sub>3</sub>-C<sub>4</sub>)halocycloalkyl, (C<sub>2</sub>-C<sub>4</sub>)alkenyl, (C<sub>2</sub>-C<sub>4</sub>)haloalkenyl, (C<sub>2</sub>-C<sub>4</sub>)alkynyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy or (C<sub>1</sub>-C<sub>4</sub>)haloalkoxy,

R<sup>2</sup> is H or (C<sub>1</sub>-C<sub>4</sub>)alkyl, or

R<sup>1</sup> and R<sup>2</sup> together with the attached carbon atom form a (C<sub>3</sub>-C<sub>6</sub>)cycloalkyl ring,

R<sup>3</sup> is H, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>2</sub>)alkoxy or halogen,

R<sup>4</sup> is H, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)haloalkyl, (C<sub>3</sub>-C<sub>4</sub>)alkenyl, (C<sub>3</sub>-C<sub>4</sub>)alkynyl or an acyl radical having 1 to 12 carbon atoms,

R<sup>5</sup> is H, (C<sub>1</sub>-C<sub>4</sub>)alkyl or (C<sub>1</sub>-C<sub>4</sub>)haloalkyl,

R<sup>6</sup> is (C<sub>1</sub>-C<sub>3</sub>)alkyl;

R<sup>7</sup>, R<sup>8</sup>, R<sup>9</sup> and R<sup>10</sup> are each independently H, (C<sub>1</sub>-C<sub>3</sub>)alkyl, halogen or (C<sub>1</sub>-C<sub>3</sub>)alkoxy;  
and

A is CH<sub>2</sub>, O or a direct bond.

**3. (Previously presented - Allowed)** A compound or a salt thereof as claimed in claim 1, characterized in that

R<sup>1</sup> is H or (C<sub>1</sub>-C<sub>3</sub>)alkyl,

R<sup>2</sup> is H or (C<sub>1</sub>-C<sub>3</sub>)alkyl, or

R<sup>1</sup> and R<sup>2</sup> together with the attached carbon atom form a (C<sub>3</sub>-C<sub>4</sub>)cycloalkyl ring,

R<sup>3</sup> is H, (C<sub>1</sub>-C<sub>2</sub>)alkyl, methoxy, Cl or F;

R<sup>4</sup> is H, (C<sub>1</sub>-C<sub>3</sub>)alkyl, (C<sub>1</sub>-C<sub>3</sub>)haloalkyl, allyl, propargyl, CHO, -CO(C<sub>1</sub>-C<sub>3</sub>)alkyl or -CO(C<sub>1</sub>-C<sub>3</sub>)haloalkyl,

R<sup>5</sup> is H or (C<sub>1</sub>-C<sub>2</sub>)alkyl,

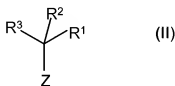
$R^6$  is  $(C_1-C_3)alkyl$ ;

$R^7$ ,  $R^8$ ,  $R^9$  and  $R^{10}$  are each independently H, methyl, F and Cl, and

A is  $CH_2$ , O or a direct bond.

**4. (Currently amended - Allowed)** A process for the preparation of a compound of the formula (I) or a salt thereof as defined in claim 1, which process comprises:

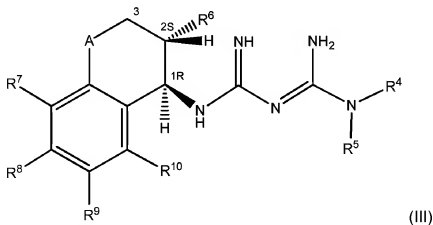
a) reacting a compound of formula (II):



wherein

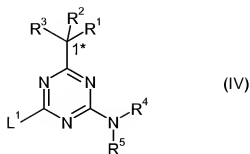
$R^1$ ,  $R^2$  and  $R^3$  are as defined in formula (I), and

Z is a functional group selected from the group consisting of carboxylic ester, carboxylic orthoester, carboxylic acid chloride, carboxamide, cyano, carboxylic anhydride or trichloromethyl, with a biguanidine compound of formula (III) or an acid addition salt thereof:



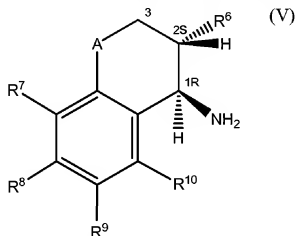
wherein  $R^4$ ,  $R^5$ ,  $R^6$ ,  $R^7$ ,  $R^8$ ,  $R^9$ ,  $R^{10}$  and A and the configuration at the marked 1 and 2 positions marked 1S and 2 positions are as defined in formula (I); or

b) reacting a compound of formula (IV):



wherein  $R^1$ ,  $R^2$ ,  $R^3$ ,  $R^4$  and  $R^5$  and the configuration at the marked  $1^*$  position is as defined in formula (I), and

$L^1$  is a leaving group, with an amine of formula (V) or an acid addition salt thereof:



wherein  $R^6$ ,  $R^7$ ,  $R^8$ ,  $R^9$ ,  $R^{10}$  and A and the configuration at the marked 1 and 2 positions are as defined in formula (I); or

c) where one of  $R^4$  or  $R^5$  in formula (I) is  $(C_1-C_4)$ alkyl,  $(C_1-C_4)$ haloalkyl,  $(C_3-C_4)$ alkenyl,  $(C_3-C_4)$ haloalkenyl,  $(C_3-C_4)$ alkynyl or  $(C_3-C_4)$ haloalkynyl, reacting the corresponding compound of formula (I) wherein said  $R^4$  or  $R^5$  respectively is H, and the other radicals and the configurations are as defined in formula (I), with an alkylating agent of formula (VI) or (VII) respectively:



wherein  $L^2$  is a leaving group; or

d) where one of  $R^4$  or  $R^5$  is an acyl radical in formula (I), reacting the corresponding compound of formula (I) wherein said  $R^4$  or  $R^5$  respectively is H, and the other radicals

and the configurations are as defined in formula (I), with an acylating agent of formula (VIII) or (IX) respectively:



(VIII)



(IX)

wherein  $R^4$  and  $R^5$  are each an acyl radical as defined in formula (I) and  $L^3$  is a leaving group; or

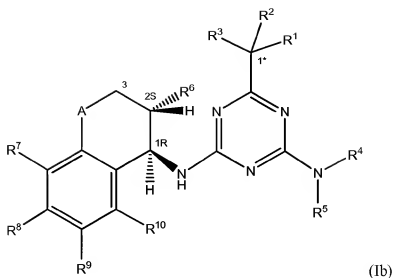
e) resolving a compound of formula (I) by using in the above-described processes one or more intermediates (II), (III), (IV) or (V) whose configuration differs from the configuration as defined in the compound of formula (I) to be prepared, and resolving the mixture obtained according to known methods of resolution.

**5. (Previously presented - Allowed)** A herbicidal or plant growth regulating composition, which comprises one or more compounds of the formula (I) or their salts as claimed in claim 1 and formulation auxiliaries applicable in crop protection.

**6. (Previously presented - Allowed)** A method of controlling harmful plants or for regulating the growth of plants, which comprises applying an active amount of one or more compounds of the formula (I) or their salts as claimed in claim 1 to the plants, plant seeds or the area under cultivation.

**7-20. (Cancelled)**

**21. (Previously presented - Allowed)** A compound or a salt thereof as claimed in claim 1, characterized in that it is a compound of the formula (Ib) or a salt thereof,



wherein:

R<sup>1</sup> is H, (C<sub>1</sub>-C<sub>6</sub>)alkyl or (C<sub>1</sub>-C<sub>6</sub>)alkoxy;

R<sup>2</sup> is H or (C<sub>1</sub>-C<sub>4</sub>)alkyl; or

R<sup>1</sup> and R<sup>2</sup> can together with the attached carbon atom form a (C<sub>3</sub>-C<sub>6</sub>)cycloalkyl ring;

R<sup>3</sup> is H, (C<sub>1</sub>-C<sub>4</sub>)alkyl or halogen;

R<sup>4</sup> and R<sup>5</sup> are each H;

R<sup>6</sup> is (C<sub>1</sub>-C<sub>6</sub>)alkyl;

R<sup>7</sup>, R<sup>8</sup>, R<sup>9</sup> and R<sup>10</sup> are each independently H, (C<sub>1</sub>-C<sub>6</sub>)alkyl or halogen; and

A is CH<sub>2</sub>, O or a direct bond,

provided that the stereochemical configurations at positions 1R and 2S are defined as in formula (I) and provided that at least two of R<sup>1</sup>, R<sup>2</sup> and R<sup>3</sup> are structurally identical.

**22. (Previously presented - Allowed)** A compound or a salt thereof as claimed in claim 21, characterized in that

$R^1$  is H, methyl or ethyl;

$R^2$  is H;

$R^3$  is H, F, Cl, methyl or ethyl;

$R^4$  and  $R^5$  are each H;

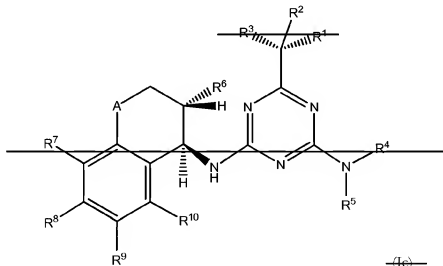
$R^6$  is (C<sub>1</sub>-C<sub>4</sub>)alkyl;

$R^7$ ,  $R^8$ ,  $R^9$  and  $R^{10}$  are each independently selected from the group consisting of H, methyl, Br, Cl or F; and

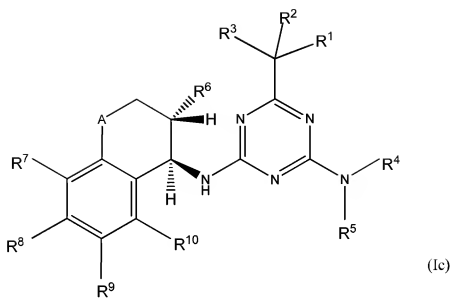
A is CH<sub>2</sub>, O or a direct bond,

provided that at least two of  $R^1$ ,  $R^2$  and  $R^3$  are structurally identical.

**23. (Currently amended - Allowed)** A compound or a salt thereof as claimed in claim 1, characterized in that it is a compound of the formula (Ic) or a salt thereof,

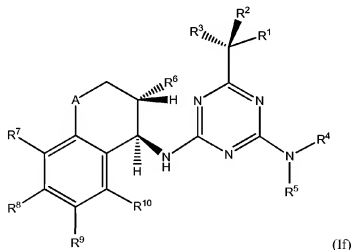






wherein  $R^1$  to  $R^{10}$  and A and the stereochemical configurations at positions 1 and 2 are defined as in formula (I) and provided that  $R^1$ ,  $R^2$  and  $R^3$ , are structurally different.

**24. (Previously presented - Allowed)** A compound or a salt thereof as claimed in claim 23, characterized in that it is a compound of the formula (If) or a salt thereof,



wherein:

$R^1$  is  $(C_1-C_6)$ alkyl,  $(C_1-C_6)$ haloalkyl or  $(C_3-C_6)$ cycloalkyl;

$R^2$  is H;

$R^3$  is (C<sub>1</sub>-C<sub>4</sub>)alkyl or halogen;  
 $R^6$  is (C<sub>1</sub>-C<sub>6</sub>)alkyl; and  
 $R^4$ ,  $R^5$ ,  $R^7$  to  $R^{10}$  and A and the stereochemical configurations at positions 1 and 2 are defined as in formula (Ic),  
provided that  $R^1$ ,  $R^2$  and  $R^3$  are structurally different and  
and the stereochemical configuration at the marked 1\* position is having a stereochemical purity of from 60 to 100 %.

**25. (Previously presented - Allowed)** A compound or a salt thereof as claimed in claim 24, characterized in that

$R^1$  is methyl or ethyl;  
 $R^2$  is H;  
 $R^3$  is methyl, ethyl, F or Cl;  
 $R^4$  and  $R^5$  are each H;  
 $R^6$  is methyl or ethyl; and  
 $R^7$ ,  $R^8$ ,  $R^9$  and  $R^{10}$  are each independently H, methyl, Br, Cl or F,  
provided that  $R^1$ ,  $R^2$  and  $R^3$  are structurally different.

**26. (Previously presented - Allowed)** A compound or a salt thereof as claimed in claim 1, characterized in that the stereochemical configuration at the marked 1 position is (*R*) having a stereochemical purity of from 80 to 100 % (*R*),  
and the stereochemical configuration at the marked 2 position is (*S*) having a stereochemical purity of from 80 to 100 % (*S*).

**27. (Previously presented - Allowed)** A compound or a salt thereof as claimed in claim 25, characterized in that the stereochemical configuration at the marked 1 position is (*R*) having a stereochemical purity of from 80 to 100 % (*R*),  
and the stereochemical configuration at the marked 2 position is (*S*) having a stereochemical purity of from 80 to 100 % (*S*).